Transportation Commission of Colorado
Regular Meeting Minutes
October 17, 2013

Chairman Doug Aden convened the meeting at 12:45 pm in the auditorium of the headquarters building in Denver, Colorado.

PRESENT WERE: Doug Aden, Chairman, District 7
Shannon Gifford, District 1
Ed Peterson, District 2
Gary Reiff, District 3
Heather Barry, District 4
Kathy Gilliland, District 5
Kathy Connell, District 6
Sidny Zink, District 8
Les Gruen, District 9
Bill Thiebaut, District 10
Steven Hofmeister, District 11

ALSO PRESENT: Don Hunt, Executive Director
Gary Vansuch, Director of Process Improvement
Scott Richrath, Chief Financial Officer
Heidi Humphreys, Director of Admin & Human Resources
Debra Perkins-Smith, Director of Division of Transportation Development
Herman Stockinger, Director of Policy and Government Relations
Mark Imhoff, Director of Division of Transit and Rail
Mike Cheroutes, Director of HPTE
Barbara Gold, Director of Audit Division
Ryan Rice, Director of Operations Division
Amy Ford, Director of Public Relations
Darrell Lingk, Director of Office of Transportation Safety
Scott McDaniel, Director of Staff Services
Tony DeVito, Region 1 Transportation Director
Tom Wrona, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Myron Hora, Acting Region 4 Transportation Director
Kerrie Neet, Region 5 Transportation Director
Kathy Young, Chief Transportation Counsel
John Cater, FHWA
Vince Rogalski, Statewide Transportation Advisory Committee (STAC)

AND: Other staff members, organization representatives, the public and the news media

An electronic recording of the meeting was made and filed with supporting documents in the Transportation Commission office.

Audience Participation

Chairman Aden stated that there were no members of the audience wishing to address the Commission.

Individual Commissioner Comments

Commissioner Reiff mentioned his appreciation for the staff's work on RAMP and the spectacular job on flood relief.

Commissioner Thiebaut mentioned his agreement with Commissioner Reiff's remarks specifically about flood relief. He traveled through the communities in District 10. He stated that he would like to learn more about the speed of the EIS process and the consultants that drive that process.

Commissioner Gilliland reiterated that the people from CDOT have gone above and beyond to respond to the flood and could not be thanked enough. The affected communities are very appreciative of the job CDOT has done.

Commissioner Connell also reiterated the comments to thank CDOT employees' response to the floods and mentioned all the budgeting and administrative workers who have made all this happen. She and Don Hunt attended a listening session in Rifle, and there is a very positive atmosphere about what CDOT has done. She met with Highway 9 Citizens for Safe Highways, and they expressed enthusiasm for the innovation and collaboration of this RAMP project.

Executive Director Hunt welcomed Senator Matt Jones to the Transportation Commission Meeting.

Commissioner Zink thanked Executive Director Hunt for continuing his listening tour to Southwest Colorado even through the flooding.

Commissioner Barry acknowledged the commitment of everyone from the Governor down to the frontline employees. She stated that CDOT will be that much more agile and nimble as a result of this learning experience. She also stated that during Bagels with Barry, people were happy with RAMP.

Commissioner Peterson also expressed his appreciation to CDOT employees and the amount of leadership from the Governor's office on down to handle a disaster of this magnitude. He also commended all the agencies that coordinated to save lives and help the population return to normal, including federal, state, local and private agencies.

Chairman Aden commended Executive Director Hunt for continuing the listening tour, especially to the smaller communities. He apologized for an omission in his comments last month: RFTA is the largest rural transit operator in the country and second in Colorado only to RTD. He and Mark Imhoff attended the ribbon cutting ceremony for the BRT. RFTA now has the only rural BRT system in the country. Congratulations, RFTA. CDOT Division 3 and the Division of Transit and Rail were great partners in the project.

Executive Director's Report:

Executive Director Don Hunt mentioned that some people need some special recognition in the flood relief response: Johnny Olson; Scot Cuthbertson; Heidi Humphreys; Myron Hora; Kurt Morrison; Communications Staff: Amy Ford, Mindy Crane, Ashley Moore; John Cater and his people.

The Estes Park Maintenance Patrol William Vogue, Scott Kim, Carrie Edwards, James Barnick all kept Highway 7 to Estes Park open even through the rain. It reopened Friday, Sept 13, and was the only route into Estes Park from the Front Range.

Dan Marcucci and Bill Aldorfer also opened Hwy 119 a few weeks early. RTD bus service was able to go through one week before the highway opened. Kevin Brown and Paul Neiman opened a stretch of Hwy 72 that relieved traffic congestion. He stated that CDOT will rebuild stronger, safer and more resilient highways than were lost. Out of tragedy can come a great learning experience.

Director Hunt attended listening sessions around the state with overwhelmingly positive reactions.

Chief Engineer's Report:

Chairman Aden stated that Chief Engineer Tim Harris is at the AASHTO Conference and deferred this update.

High Performance Transportation Enterprise (HPTE) Director's Report

Mike Cheroutes ceded time to Senator Matt Jones, who has taken a special interest in HPTE.

- Senator Matt Jones stated his gratitude for CDOT's response in getting Eastern Boulder County back on its feet after the floods. The transportation hubs are critical to helping people get back to their lives.
- Senator Jones then stated that in the FASTER bill, the public-private partnership on Hwy 36 is a lessons learned pilot project. There are some things we can fix and work on with the contracts and disseminating information about them. Constituents continue to present issues including carpooling, alternative fuel vehicles and the 50-year term. We will try to develop a bill to improve that with CDOT staff.

Matt Cheroutes stated HPTE board met in regular session on October 16, 2013.

- The Board discussed how the HPTE can help the local communities with flood recovery efforts. They will be pursuing these ideas, specifically FEMA reimbursements if there is a need.
- The US-36 transaction is on schedule to be closed in early December. An item on the consent agenda is a housekeeping matter that changes the way the project is accounted within CDOT.
- The Board continues to discuss the RAMP projects including C-470.
- The board is going to step back from the I-25 project during the ongoing flood relief.
- I-70 remains a major subject of focus of the HPTE.

FHWA Division Administrator Report

John Cater highlighted the following topics:

- He attended the ribbon cutting for the Dotsero Bridge in Region 3. Because of the cooperation between local, state and federal agencies, they were able to do much more than replace a bridge. There is now also a roundabout, bike trail and access to Colorado River.
- The first bridge was opened as part of the US-36 corridor project. Again, this was directly due to local, state and federal agency cooperation.
- He acknowledged Josh Khiel at the Incident Command Center. He also highlighted Johnny Olson, who has been the point man since the beginning of the floods.

STAC Report

Vince Rogalski stated that STAC met on Friday, October 11, 2013, and discussed the following topics:

- There was an update on the federal and state legislation: it is good to hear that the $100 million cap was raised to $450 million.
- MPACT 64: The 2% set aside for bikes and pedestrians will not be a part of the straw man proposal.
- Steve Markovetz updated a project on tracking and project guidance software tool. It will help local agencies determine where certain projects are, and the software is currently in beta testing.
- Scott Richrath provided three budget scenarios.
- Deb Perkins-Smith and Sandi Kohrs provided an update on PD-14. The four performance measures are safety, infrastructure condition, system performance and maintenance.
- Questions that the STAC had include the following:
    - How do you expect to meet transit objectives without an increase in operating funds? RTD and RFTA can cover those increases, but other rural transportation regions are not going to be able to without an increase in operating funds.
    - Program distribution has been a controversy. The consensus is that they would like to see more money in RPP, but they did not provide specifics.
    - There is still some resistance to what is going on in Asset Management, but members have a better understanding of how it will affect the state. Further communication will be helpful for continuing support.
- STAC also wants to thank CDOT for all the work that has been done in response to the floods.
    - Some of the rivers have changed their course, and decisions are necessary to address these changes.
- STAC wants to encourage the TC to move forward to approve the RAMP project list.

Act on Consent Agenda

Chairman Aden removed items A and B for further discussion and correction. Chairman Aden entertained a motion on the Consent Agenda. Commissioner Gruen moved for approval of item C. Commissioner Connell seconded the motion. On a vote of the Commission, item C on the Consent Agenda was unanimously approved.

Chairman Aden noted the corrected version of the minutes from September TC meeting. The resolution included to approve the Department Requested Measures for Immediate Response to Disaster Emergency Efforts was incorrect. Chairman Aden entertained a motion to approve the minutes to include the corrected resolution. Commissioner Connell moved to approved those corrected minutes. Commissioner Peterson seconded the motion, and on a vote of the Commission, the corrected minutes were unanimously approved.

Resolution #TC-3104

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes of September 19, 2013, are hereby approved as published in the official agenda of October 16 & 17, 2013, to include the corrected resolution.

Resolution #TC-3105

Chairman Aden stated that there had been changes to the resolution to Approve the First Amendment to the Intragency Agreement between CDOT and HPTE for the US 36 Concession Project. This change was made to be consistent with the resolution passed by the HPTE Board on October 16, 2013. Chairman Aden entertained a motion to pass resolution. Commissioner Reiff moved to pass the corrected resolution. Commissioner Connell seconded the motion. On vote of the Commission, the resolution was unanimously approved.

Resolution #TC-3105
Approving the First Amendment to Intragency Agreement between CDOT and HPTE for the U.S. 36 Concession Project.

Approved by the Transportation Commission on: October 17, 2013

WHEREAS the Transportation Commission is responsible, pursuant to C.R.S. 43-1-106(8), for formulating the general policy of the Colorado Department of Transportation (CDOT); and

WHEREAS the Transportation Commission's approval is required for CDOT intergovernmental agreements that may involve more than $750,000; and

WHEREAS the Colorado High Performance Transportation Enterprise (HPTE), in partnership with CDOT, is working towards financial close with its concessionaire, Plenary Roads Denver, for the design, construction, financing, operation and maintenance of the U.S. 36 Corridor between Denver and Boulder and the I-25 Express Lanes (collectively US 36 project); and

WHEREAS in order to finalize the concession agreement between HPTE and Plenary Roads Denver, and reach financial close, an interagency agreement between CDOT and HPTE was necessary to accomplish several purposes including outlining and memorializing CDOT's Executive Director's obligation to make an annual budget request for funds to pay Plenary Roads Denver for snow and ice removal and routine maintenance of the U.S. 36 general purpose lanes; creating a backup loan process between CDOT and HPTE in the event that HPTE needs to borrow money from CDOT to pay for an HPTE Payment Obligation Event that is contained in the concession agreement between HPTE and Plenary Roads Denver; and documenting CDOT's grant of a non-exclusive license over, under, upon and in the U.S. 36 and I-25 site and managed lanes to HPTE.

WHEREAS the Transportation Commission approved the Intragency Agreement (Original Agreement) between CDOT and HPTE for the US 36 Concession Project on May 16, 2013.

WHEREAS in its efforts to reach financial close, Plenary Roads Denver is currently undergoing the credit review processes in connection with the US 36 Project and it has become clear that the Original Agreement needs to be amended to provide for and explain how certain funds CDOT will receive, and that are intended to support the US 36 Project, will be made available to HPTE. The funds at issue include: (i) federal highway funds allocated for the US 36 Project by the Denver Regional Council of Governments; and (ii) local contributions CDOT will receive pursuant to certain intergovernmental agreements with the Regional Transportation District, Town of Superior, City of Louisville, and Boulder County.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby approves the First Amendment to the Intragency Agreement between CDOT and HPTE for the U.S. 36 Concession Project and authorizes CDOT's Executive Director to sign the amendment on behalf of CDOT.

Herman J. Stockinger III

Herman Stockinger III, Secretary
Transportation Commission of Colorado

October 17, 2103
Date

Discussion of RAMP Project List

Debra Perkins-Smith stated that the Commission has a revised resolution and list of projects from the RAMP Workshop because RTD withdrew their request for a $50million loan. Chairman Aden entertained a motion to pass the resolution. Commissioner Connell moved to approve the resolution to adopt the RAMP Project List, and Commissioner Gilliland seconded that motion. On vote of the Commission, the resolution was unanimously approved.

Chairman Aden recognized and thanked everyone who had worked to create the project list.

Resolution Number TC-3106

Adopting certain projects for the Partnership and Operational Improvements components of the Responsible Acceleration of Maintenance and Partnerships Program and authorizing certain Fiscal Year 2014 expenditures for the pre-construction of these authorized projects.

Approved by the Transportation Commission on: October 17, 2013

WHEREAS, the State Highway System is an essential component of Colorado's integrated transportation system which is focused on safely moving people and goods to enhance the economic wellbeing, quality of life, and environment of the citizens of Colorado; and

WHEREAS, numerous studies have documented that there are significant unmet maintenance or preservation needs and capacity or mobility needs on the State Highway System; and

WHEREAS, the November, 2002, *Report of the State Auditor: Department of Transportation - Transportation Funding* recommended that the Department revise its cash flow management relating to construction projects but the Department was not able to completely implement the recommendation because of inadequate information technology; and

WHEREAS, the Colorado Department of Transportation has implemented SAP an Enterprise Resource Planning system which can support a cash based approach to project planning and budgeting and the Department is in the process of further refining the ability of the Department to fund and manage the capital construction program enabled by this change in planning and budgeting; and

WHEREAS, Governor John Hickenlooper and Colorado Department of Transportation Executive Director Don Hunt announced on December 14, 2012, the Responsible Acceleration of Maintenance and Partnerships (RAMP) program which is a new approach to budgeting and planning that will accelerate completion of transportation projects and create or sustain more than 10,500 jobs over five years; and

WHEREAS, while it is anticipated that the RAMP program will result in an average increase in the capital construction program of $300 million per year through 2017, it is acknowledged that this increase in construction is not a solution to the unmet transportation needs of Colorado; and

WHEREAS, the Colorado Department of Transportation determined that it was appropriate to develop selection procedures for Asset Management projects dedicated to slowing the deterioration and improving the safety of the State Highway System, Operational Improvement projects to maximize system operations, and Partnership projects dedicated to leveraging state transportation dollars by creating Public Private Partnerships with industry and Public-Public Partnerships with local governments to maintain, maximize safety and system operations, and expand mobility statewide; and

WHEREAS, the Colorado Department of Transportation developed, documented, and publically announced the Eligibility Criteria and Evaluation/Selection Criteria for the Operational Improvement and Partnership categories; and

WHEREAS, the Colorado Department of Transportation developed, documented, publically announced, and followed a selection process for the Operational Improvement and Partnership categories consisting of pre-applications, a systematic review of the pre-applications to determine eligibility, detailed applications for those projects determined to be

eligible, and a systematic and exhaustive evaluation of the applications to determine merit and feasibility; and

WHEREAS, the Transportation Commissioners have considered the recommendation of the Colorado Department of Transportation and all other information that they have received; and

WHEREAS, the projects adopted in this Resolution are to be completed under accelerated timetables consistent with the intent of the RAMP program thus there may be cases where it is necessary and prudent to begin pre-construction work in advance of an executed Intergovernmental agreement or other evidence of continued financial commitment by the applicant and prior to a regularly scheduled Transportation Commission meeting.

NOW THEREFORE BE IT RESOLVED that the Transportation Commission hereby adopts the list shown in the document titled "RAMP Partnership and Operations Projects – Preliminary Recommendations 10/16/2013" and the document is incorporated by reference into this Resolution; and

BE IT FURTHER RESOLVED that the Colorado Department of Transportation shall advise the Transportation Commission if a project is unable to be moved forward, and

BE IT FURTHER RESOLVED that the Transportation Commission authorizes the Chief Financial Officer to budget, without additional Transportation Commission action, an amount not to exceed five percent of the total project cost for the project as shown on the "RAMP Partnership and Operations Projects – Preliminary Recommendations 10/16/2013" document for FY 2014 pre-construction expenditures on these projects regardless of whether there is an executed Intergovernmental Agreement or other evidence of financial commitment from the applicant; and

BE IT FURTHER RESOLVED that the Transportation Commission requires for each Public-Public Partnership project on or before January 6, 2014, a project scope, schedule, and budget developed by the Colorado Department of Transportation in the form and to the level of detailed specified by the Chief Engineer; and

BE IT FURTHER RESOLVED that the Transportation Commission also requires for each Public-Public Partnership project on or before January 6, 2014, evidence, in a form specified by the Chief Financial Officer, confirming a commitment by the applicant to the project scope, schedule, and budget developed by the Department, including an agreement to hold a public vote to authorize the local match by no later than April 8 if such vote is necessary; and

BE IT FURTHER RESOLVED that the Chief Engineer may extend the January 6, 2014 deadlines to April 7, 2014, upon application for extension from any applicant or CDOT Region Transportation Director for projects in a flood damaged area.

Herman F. Stockinger III

Herman Stockinger III, Secretary
Transportation Commission of Colorado

October 17, 2013
Date

Discussion of Loan for the 2014 FTA Operating Grants to the Division of Transit and Rail

For the benefit of the new Commissioners, Mark Imhoff explained the loan process that has been in place for several years. He explained that large urban areas, including RTD, Colorado Springs and Fort Collins, receive their federal transit area funds directly from the FTA. All other transit entities get their federal funds funneled through CDOT and the grant program.

The federal fiscal year began October 1, but all the transit entities operate on a calendar year budget cycle. For the entities to operate bus service on January 1, they need to have operating funds available. On January 1, CDOT issues 45-50 operating grants. In order to get the contracts in place, the funds need to be in the bank. With the delays in Washington, CDOT does not expect to have those operating funds by January 1, 2013.

In years past, the Division of Transit and Rail takes out a loan from the TC contingency to cover those operating funds. Last year the Division borrowed a little more than $13 million. Due to the flood situations and the budget constraints, the Division has scrubbed the request and only asked for $5.3 million. The Division will repay the loan as soon as they receive the funds from the Federal government. Formal approval is part of the budget supplement resolution.

Chairman Aden stated that this has been the process in place for several years and has been effective to avoid interruptions in service.

Discuss and Act on the 5th Supplement to the FY2014 Budget

Scott Richrath stated that each month comes with a budget supplement requests, but these requests are all outside the Emergency Relief program. While some projects reference the floods, they are not part of the President's or Governor's emergency declaration. Scott then listed out which requests were against the Transportation Commission contingency:

- Region 3 requests are not against the contingency. They are both against other baseline programs in the budget.
- Region 2 requests are against Transportation Commission contingency.
- For the Division of Transit and Rail intrayear loan, standard in prior years, is a $5.3 million request against the contingency. About $5 million would come in March, and the balance would come around six months later.
- Staff Maintenance and Operations request is against contingency for radio console upgrades in the current fiscal year.
- The request to fund the new Transportation Systems Management and Operations Innovative Projects that are not asset management eligible projects is against contingency.
- The total against contingency is approximately $15 million.

Chairman Aden entertained a motion to approve the 5th Supplement to the FY14 budget. Commissioner Gilliland moved to approve the resolution, and Commissioner

Connell seconded. On a vote of the Commission, the Budget Supplement was unanimously approved.

Resolution #TC-3107

BE IT RESOLVED THAT the 5th Supplement to the Fiscal Year 2014 Budget be approved.

Discuss and Act on the Emergency Relief Supplement

Scott Richrath stated that a resolution passed last month gave staff authority to access the contingency outside the monthly supplemental process for purposes of moving budget actions forward on flood projects. This is a $59 million reconciliation of CDOT's use of TC contingency funding, much of which will be reimbursed, but needed to be spent to get the roads open under the Governor's and the Presidential emergency declaration.

Chairman Aden entertained a motion to approve the First Emergency Relief Supplement. Commissioner Peterson moved to approve the supplement, and Commissioner Gilliland seconded the motion. On a vote of the Commission, the Emergency Relief supplement was unanimously approved.

Resolution #TC-3108

BE IT SO RESOLVED that the First Supplement to the Emergency Relief Funding be approved.

Discuss and Act on the Systems Level Study for the 1601 Interchange Improvements at I-76 and Bridge Street

Tony DeVito respectfully requested to be allowed 15 minutes rather than the allotted 5 minutes so that guests from the City of Brighton would have time to present their System Level study.

He stated that they are seeking approval for a new interchange at Bridge Street and Interstate 76. This is a Type 1 approval under Policy Directive 1601. He discussed the summary of the following requirements and deliverables to which the applicants must adhere:

- A system level study,
- A DRGOG plan amendment,
- An environmental assessment and a decision on that assessment, and
- A preliminary 30% design.

The system level study is complete. It was submitted to DRGOG in September 2013, and CDOT concurs with the results of the studies. The next step is for DRCOG to amend the 2035 plan to include this new interchange following your concurrence.

This project has been a partnership between the City of Brighton and CDOT, but it is fully funded by the City of Brighton using local capital funds.

The interchange is located on I-76 between the interchanges of Baseline and Bromley.

Dick McLean, Mayor of Brighton: Mayor McLean stated that this has been on the city's radar for many years, but it has now become a necessity. He took a moment to thank CDOT employees for their assistance in steering the team. The city has funded this process with the goal of completing the project by 2019. They have included new interchange as part of Brighton's capital improvement plan. Upon approval of the required steps, they plan to move to a final design and then construction.

The project is beneficial to the community because it provides connectivity east and west through the heart of Brighton. It relieves congestion at the Bromley interchange, and it is a cost effective solution for the economic growth of the city. A King Soopers store broke ground a few months ago less than a mile to the west, and that will increase the congestion. A large development project has been approved by the Council between Bromley and Bridge Streets. Along with the housing that is starting to boom again, these developments necessitate the new interchange.

Ken DePinto stated that currently the only way to access I-76 from Bridge Road is on the frontage roads, traveling either to Bromley or Baseline. This request is under Policy Directive 1601, which requires approval of the system level study. Brighton has thoroughly investigated the impact that this interchange would have on the community and on Interstate 76.

In order to travel from Brighton to Boulder, it is currently necessary to travel north or south of Brighton because there is no access to Bridge Street. This connection would allow travel from Broomfield to Boulder without using arterial streets.

This will also relieve long term congestion.

As part of the investigation, the city looked at ten options, deciding that a series of two, three or four roundabouts is the best options. The city is further investigating the operational benefits of each option and planning to come to a decision by the end of December.

Preliminary estimates range the roundabouts between $6-6.5 million, funded entirely by the City of Brighton from 2014-2018. He then provided a general calendar, ending with an opening in 2019.

Commissioner Gruen asked about the impact on flow through traffic for I-76, and Ken stated that there would be no impact to the congestion. The segments on I-76 operate at a B, and may approach a C by 2035. In the near term, it will continue to be at a B. This project relieves the congestion on Bromley.

Commissioner Barry stated that Bromley Road is the Judicial Center of Adams County is located. She stated that it is visionary on the part of Brighton to commit to improve this area for the years to come. They have also ensured that it will not cause future congestion on I-76. She fully supported approval and urged the Commission to do the same.

Tony DeVito stated that he and the Region fully support the City of Brighton and asked for Commission concurrence.

Chairman Aden entertained a motion to approve the resolution for the system level study. Commissioner Barry moved to approve the resolution, and Commissioner Reiff seconded the motion. Commissioner Thiebaut asked about the role of the Chief Engineer in the Intergovernmental Agreement (IGA), and Chairman Aden stated that the Chief Engineer's involvement is the standard process. On vote of the Commission, the resolution was unanimously approved.

RESOLUTION #TC-3109

Approving the Systems Level Study for the Interchange Improvements at I-76 and Bridge Street

Approved by the Transportation Commission on: October 17, 2013

WHEREAS in November 2004 the Transportation Commission approved revisions to Policy Directive 1601 concerning the state highway interchange approval process; and

WHEREAS the City of Brighton has completed a System Level Study for a proposed new interchange at I-76 and Bridge Street; and

WHEREAS in accordance with the Policy Directive 1601, the staff of the Colorado Department of Transportation (CDOT) has reviewed the Systems Level Study and found it to be consistent with the Policy Directive 1601; and

WHEREAS in accordance with the Policy Directive 1601, the Systems Level Study documents the need for the proposed Interchange at I-76 and Bridge Street to accommodate anticipated travel volumes at acceptable levels of service for the next 20 years; and

WHEREAS the proposed interchange will provide local and regional east-west connectivity, relieve congestion at Bromley Lane and Baseline, improve access as well as traffic flow on the roadway network surrounding Bridge and I-76; and

WHEREAS the cost to construct the proposed Interchange is estimated to be 6.5 million in 2013 dollars; and

WHEREAS the City of Brighton is funding 100 percent of the construction of the Interchange at I-76 and Bridge Street and is requesting no financial support or in-kind assistance from CDOT for these efforts; and

WHEREAS all costs and responsibilities associated with project maintenance and operations shall be determined through an Intergovernmental Agreement (IGA) between the City of Brighton and CDOT consistent with the financial plan in this Systems Level Study; and

WHEREAS approval of the Final Maintenance and Operations IGA by the Chief Engineer consistent with the financial plan included in the Systems Level Study is necessary prior to construction; and

WHEREAS in accordance with the Policy Directive 1601, the City of Brighton was an active participant in the System Level Study and is in agreement with the proposed project and financial plan as described in the System Level Study; and

WHEREAS Transportation Commission approval of the Systems Level Study is contingent upon CDOT and FHWA approval of the proposed Environmental Assessment (EA) for this project; and

WHEREAS the Transportation Commission recognizes that this approval is not the final approval step, and recognizes that, should the environmental document identify a preferred alternative different from that identified in the Systems Level Study, the Transportation Commission will reconsider the Systems Level Study; and

WHEREAS approval of a proposed project by the Transportation Commission is contingent on the inclusion of the proposed project by the Denver Regional Council of Governments (DRCOG) in the fiscally constrained regional transportation plan and transportation improvement program; and

WHEREAS the Transportation Commission recognizes that this approval does not ensure incorporation of the proposed interchange in the constrained regional transportation plan by the corresponding MPO/TPR.; and

WHEREAS the City of Brighton must obtain approval of the applicable FHWA interchange access, design and environmental decision documents by the CDOT Chief Engineer and/or FHWA prior to final approval by the Chief Engineer; and

WHEREAS the applicant must demonstrate significant progress towards implementation of the project within 3 years of the date of approval this resolution,

NOW THEREFORE BE IT RESOLVED, the Transportation Commission approves the Systems Level Study for the Interchange Improvements at I-76 and Bridge Street pending:

1. Inclusion of the proposed interchange in the fiscally constrained regional transportation plan and state transportation improvement program; and

2. Completion and approval of the appropriate environmental decision document consistent with the CDOT Environmental Stewardship Guide; and

3. Approval of applicable interchange access, design and environmental permitting documents by the appropriate agencies; and

4. Approval by the Chief Engineer of an IGA for the financing, construction, maintenance and operations of the facilities associated with the construction of the Interchange consistent with the Systems Level Study.

The Chief Engineer is authorized to enter into an IGA with the applicant for the construction, maintenance and operations of the facilities associated with the construction, operations and maintenance of the Interchange at I-76 and Bridge Street and the City of Brighton consistent with this Systems Level Study.

Herman F. Stockinger III

Herman Stockinger III, Secretary
Transportation Commission of Colorado

10-23-13

Date

Other Matters

Commissioner Thiebaut asked if acting on Commissioner Reiff's amendment to the Consent Agenda included approving the accompanying resolution. Chairman Aden stated that it did.

Acknowledgements

Chairman Aden declared that there were no listed acknowledgements.

Adjournment

Commissioner announced that the meeting was adjourned.